RECEIVED CENTRAL FAX CENTE

CERTIFICATE OF TRANSMISSION PURSUANT TO 37 C.F.R. § 1.8

APR 2 4 2006

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office at (571) 273-8300 and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicants: Bonalle et al

Attorney Docket No.: 70655.1900

Serial No.: 10/710,317; Confirmation No.: 4316 Group Art Unit:

2876

Filed:

07/01/2004

Examiner:

Walsh, Daniel I.

Title:

METHOD AND SYSTEM FOR SIGNATURE RECOGNITION BIOMETRICS

ON A SMARTCARD

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER CO-PENDING APPLICATION

Mail Stop Amendment **Commissioner of Patents** P.O. Box 1450 Alexandria, VA 22313-1450

Dear Commissioner:

The owner, American Express Travel Related Services Company, Inc., of 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on the pending reference Application Number 10/708,828 which was filed on March 26, 2004 as such term is defined in 35 U.S.C. §§ 154 and 173, and as the term of any patent granted on said reference application(s) may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application(s). The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the

AmExp. 200501425 1824961.1

10710317

Serial No. 10/710,317 Attorney Docket No. 70655.1900

reference applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of any patent granted on said reference application(s), "as the term of any patent granted on said reference application(s) may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application(s)," in the event that any such patent granted on the pending reference application(s): expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record, Reg. No. 54,073.

Serial No. 10/710,317 Attorney Docket No. 70655.1900

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-2814.

Respectfully submitted,

Dated: April 24, 2006

y: Kirk Dorius

Kirk Dorius Reg. No. 54,073

SNELL & WILMER L.L.P.
400 East Van Buren
One Arizona Center
Phoenix, Arizona 85004-2202
Telephone: (602) 382-6544
Facsimile: (602) 382-6070

PTO/SB/17 (01-08) Approved for use through 07/31/2008, OMB 0551-0032 U.S. Petent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995 no parsons are required to respond to a collection of information unless it. displays a valid OMB control number

FEE TRANSMITAL For FY 2006 Applicant claims small entity status. See 37 CFR 1.27 Applicant claims small entity status. See 37 CFR 1.27 Applicant claims small entity status. See 37 CFR 1.27 Applicant claims small entity status. See 37 CFR 1.27 Applicant claims small entity status. See 37 CFR 1.27 Applicant claims small entity status. See 37 CFR 1.27 Applicant claims small entity status. See 37 CFR 1.27 Applicant claims small entity status. See 37 CFR 1.27 Antimety Deposit Account Deposit Account (See 37 CFR 1.27) Antimety Deposit Account Confidence of that sapply) Cheek Credit Card Money Order Doposit Account Name. Snell & Willinster. LLP For the above-destribled deposit account, the Director is hereby surfured to: (check all that sapply) Charge ray edictional feels) or underpayments of feets) Charge fee(s) indicated ballow. except for the filing to Charge feet fee(s) indicated ballow. except for the filing to Charge feet feet feet feet	(na Cannollántos	d Appendict	ione Act 2005/M.P. d	078) L			omplete.		77	A RECFI	VED
FOR FY 2006 Applicant calms small entity shirts. See 37 CFR 127 At Unit 2376 Attorney Decks 1 Att	•					7		RECEIVED				
Applicant Claims small entity status. See 27 CFR 1.27 Art Uril 2976 Attorney Docks No. 70855.1990	FEE IKANSMILIAL					Filing Date July			uly 1, 2004.			_
Applicant Claims small entity status. See 27 CFR 1.27 Art Uril 2976 Attorney Docks No. 70855.1990		<u> </u>	First Named Inventor Davi			lonalle,	et al.	_ APR 2 4	2006			
Antimery October No. 70855, 1990 Antimery	Applies at all		Examiner Name Danie			alsh] ~ ~	. Ł υψυ _ή			
Check	Applicant cla		Art Unit 2876					_	*			
Check Credit Card Money Order None Chher (please identify): Deposit Account Deposit Account Number 19-2814 Deposit Account Numb	TOTAL AMOUNT		Attorney Docket No. 70655			00		_	i V			
Deposit Account Deposit Account Number 19-2814 Deposit Account Number 19-28	METHOD OF P	AYMENT (check all	that apply)								<i>i</i>
For the above-identified deposit account, the Director is hereby suthorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below, except for the filling foo Charge are yet definant for the filling fee(s) indicated below, except for the filling foo Charge fee(s) indicated below, except for the filling foo Charge fee(s) indicated below, except for the filling foo Charge fee(s) indicated below, except for the filling foo Charge fee(s) indicated below, except for the filling foo Charge fee(s) indicated below, except for the filling foo Charge fee(s)	Check	Credit Car	d DM	foncy Order	None	Other (p	please idea	ntify):				
Charge toe(s) indicated below Charge tree(s) indicated below. except for the filling too Charge any additional foe(s) or underpayments of fee(s) Charge tray overpayments	Deposit Account Deposit Account Number: 19-2814 Deposit Account Name: Snell & Wilmer, LLP											· 30.5
Charge any additional foot() or underpayments of fee(s) Creati any overpayments	For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)											Į,
WARNINGs. Information on this form may be common public. Crudit card information and authorization on PTO-2028. TEE CALCULATION (All the fees below are due upon filling or may be subject to a surcharge.)	Charge fee(s) indicated below. except for the filling fee											
Temperation and authorization on PTO 2013-	L. Lund	ler 37 CFR 1.	16 and 1.1	17		٠ لينا		· ·		ovido ocodit anud		Å.
BASIC FILING, SEARCH, AND EXAMINATION FEES SEARCH FEES SEARCH FEES Small Entity Fee (3) Fee (3) Fee (3) Fee (3) Fee (3) Fee (4) Fee (4) Fee (4) Fee (5) Fee (5) Fee (5) Fee (5) Fee (6) Fee (6	WARNING: Informa Information and aut	tion on this fo thorization on	rm may be PTO-2038.	tome public. Credit (era inte	ulanou suchia u	ot de inci	uded on tir	• 10m. Fi	Ovide Creak Cara		V . 57
FILING FEES	FEE CALCULA	ATION (All t	he fees l	oelow are due u	oon fill	ng or may be	subjec	t to a sum	charge.]	8.
FILING FEES	1. BASIC FILIN	IG, SEARCI	H, AND E	XAMINATION F	EES						1	•
Application Type	FILING FEES SEARCH FEES EXAMINATI											v
Design 200 100 100 50 130 65	Application T	<u>•qv</u>			Fee (\$)		Fee	— — — — —		Fees Paid (\$)		¥.
Plant 200 100 300 150 160 80	Utility		300		500	250	200	100)			; s;
Reissue 300 150 500 250 600 300	Design		200	100	100	50	130	65	5			μί. Τι
Provisional 200 100 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Plant		200	100	300	150	160	80)			.} '3
2. EXCESS CLAIM FEES Fee Description Fach claim over 20 (including Reissues) Fee (3) Fee Paid (4) Multiple dependent claims 360 180 Multiple dependent Claims 48 - 20 or MP =	Reissue		300	150	500	250	600	300)			3,4
Fee Description Each claim over 20 (including Reissues) Each independent claim over 3 (including Reissues) Each independent claims Total Claims Extra Claims Extra Claims Fee (\$) Fee (\$) Fee Paid (\$) Multiple Dependent Claims 46 - 20 or MP = p6 x 50 = 300.00 Fee (\$) HP = highest number of total claims pead for if greater than 20. Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) A or HP = 0 x 0 = 0 HP = highest number of independent claims paid for if greater than 3. A APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41 (a) (G) and 37 CFR 1.16(s). Total Sheets Number of each additional 50 or fraction thereof. See 35 U.S.C. 41 (a) (G) and 37 CFR 1.16(s). Total Sheets Number of each additional 50 or fraction thereof. See (B) Fee Faid (\$) Non-English Specification, \$130 fee (no small entity discount) Other (c.g., late filing surcharge): Terminal Disclaims Registration No. Registration No. (Anomer/Agant) 54,073 Telephone 802-382-8544	Provisional		200	100	0	0	0) ()	·		ę
Each claim over 20 (including Reissues) Each independent claim over 3 (including Reissues) Each independent claims Total Claims Extra Claims Fee (\$) Fee Paid (\$) HP = Inghest number of total claims paid for, if greater than 20. Indep. Claims Extra Claims Extra Claims Fee (\$) Fee Paid (\$) HP = Inghest number of total claims paid for, if greater than 20. Indep. Claims Extra Claims Extra Claims Fee (\$) Fee Paid (\$) HP = Inghest number of independent claims paid for. If greater than 3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets Number of each additional 50 or fraction thereof. Fee Paid (\$) Fee Paid (\$) Fee Paid (\$) Fee Paid (\$) Total Sheets Number of each additional 50 or fraction thereof. Fees Paid (\$) Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge): Terminal Disclaimer Registration No. (Anomey/Agent) Registration No. (Anomey/Agent) Telephone 602-382-6544 (Anomey/Agent) Signature	2. EXCESS CL	AIM FEES						.	- 201			
Each independent claim over 3 (including Reissucs) Multiple dependent claims Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims A6 - 20 or MP = D8 x 50 = 300.00 Fee (\$) Fee Paid (\$) Multiple Dependent Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims Fee (\$) Fee Paid (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets Extra Sheets Number of each additional 50 or fraction thereof. Fee (\$) Fee Paid (\$) A. OTHER FEE(\$) Non-English Specification, \$130 fee (no small entity discount) Other (c.g., late filing surcharge): Terminal Disclaimer Registration No. (Atomey/Agant), 54,073 Telephone 602-382-6544 Catomey/Agant), 54,073 Fee Paid 100-100-100-100-100-100-100-100-100-100	1 00 Block (Part)											
Multiple dependent claims Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims 46 - 20 or MP = D8	Pacificiality dvci 20 (moldeling xellisues)											٠
Total Claims 46 - 20 or MP = D6	Each indepositors of the control of										2	41
HP = highest number of total claims peid for, if greater than 20. Indep. Claims	Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims											
Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) 3 -3 or HP = 0 x 0 = 0 HP = highest number of independent claims paid for. If greater than 3. 3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$) -100 = /50 = (round up to a whole number) x = 4. OTHER FEE(S) Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge): Terminal Disclaimer 130.00 SUBMITTED BY Signature Registration No. (Antomey/Agent) 54,073 Telephone 602-382-6544					=	20.00		F	ee'(\$)	Fee Paid (\$)	•	
3 -3 or HP = 0 x 0 = 0 HP = highest number of independent claims paid for. If greater than 3. 3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee Paid (\$) 100 = (round up to a whole number) x = 4. OTHER FEE(S) Non-English Specification, \$130 fee (no small entity discount) Other (c.g., late filing surcharge): Terminal Piscianter 130.00 SUBMITTED BY Signature Registration No. (Attomot/Agamt) 54,073 Telephone 602-382-6544												Ņ
3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets			0	x 0	=	0						, , , , , , , , , , , , , , , , , , ,
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets	3. APPLICATIO	ON SIZE FE	F									ž. lv
Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (5) Fees Paid (5) 4. OTHER FEE(S) Non-English Specification, \$130 fee (no small entity discount) Other (c.g., late filing surcharge): Terminal Disclaimer 130.00 SUBMITTED BY Signature Registration No. (Antomey/Agam) 54,073 Telephone 602-382-8544	If the specific listings un	ation and dr der 37 CFR	awings e 1.52(e)).	the application s	size fee	due is \$250 (\$125 for	ically file r small en	d seque: lity) for	nce or computer each additional 50		, , , , , , , , , , , , , , , , , , ,
4. OTHER FEE(S) Non-English Specification, \$130 fee (no small entity discount) Other (c.g., late filing surcharge): Terminal Disclaimer 130.00 SUBMITTED BY Signature Registration No. 54,073 Registration No. 54,073 Telephone 602-382-6544	sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)											5. 5. 4.
Non-English Specification, \$130 fee (no small entity discount) Other (c.g., late filing surcharge): Terminal Disclaimer 130.00 Submitted By Signature Registration No. 54,073 Registration No. 54,073 Telephone 602-382-8544	4 OTUED SEE		·			- (route up to a)	MINNE II	**************************************		Econ Bold (6)		1
SUBMITTED BY Signature State Governo Registration No. 54,073 Registration No. 54,073 Telephone 602-382-6544												
Signature Scil Gorius Registration No. 54,073 Telephone 802-382-8544	Other (c.g., late filing surcharge): Terminal Disclaimer 130.00											ř.
Signature Scil Gorius Registration No. 54,073 Telephone 602-382-6544	SUBMITTED BY		***								ב	į.
Date 4-324 2008	Signature	361	goria.	·a .		Registration No.	54,073		Telepho	ne 602-382-6544		6°, 11° 18.
	Name (Print/Type) Kirk Dorius					y morroy, marry			Date Ap	ril 24, 2006	J	ξ.

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria. VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PAGE 3/17 * RCVD AT 4/24/2006 7:07:19 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/8 * DNIS:2738300 * CSID:602 382 6070 * DURATION (mm-ss):05-32